

**STATE OF GEORGIA
COUNTY OF FULTON
CITY OF SOUTH FULTON**

ORDINANCE No. 2017-014

**ADOPTION OF ORDINANCE AMENDING SECTION 3-0001(e) OF THE
CITY OF SOUTH FULTON CODE OF ORDINANCES BY REVISING THE
BUILDING CODE TO INCLUDE NEW REQUIREMENTS FOR CLASSIFYING
CONSTRUCTION BASED ON BUILDING HEIGHT**

WHEREAS, the City of South Fulton ("City") is a municipal corporation duly organized and existing under the laws of the State of Georgia;

WHEREAS, the City Council is authorized by O.C.G.A. § 36-35-3 to adopt ordinances relating to its property, affairs, and local government;

WHEREAS, the duly elected governing authority of the City is the Mayor and City Council;

WHEREAS, the City is charged with preserving the health, safety, and welfare of its citizens; and

WHEREAS, the Mayor and City Council find that in order to preserve the safety of persons inhabiting buildings above a certain height, the Council wish to institute a requirement for construction with enhanced quality materials that increase the durability and longevity of the buildings;

WHEREAS, the City of South Fulton currently enforces building regulations as set out in Section 3 of the City of South Fulton Code, which adopts the state minimum standard building codes;

WHEREAS, in order to create easily accessible development regulations that integrate the adopted state regulations, the Mayor and Council wish to locally amend the state minimum standard building code to provide for increased building quality, sustainability, durability, and longevity while revitalizing the areas zoned for uses other than what is currently developed;

WHEREAS, the City Council has found that local climatic, geologic, topographic and public safety conditions justify the proposed amendment;

WHEREAS, the proposed amendment provides requirements not less stringent than those specified in the state minimum standard codes for the protection of life and property;

WHEREAS, pursuant to O.C.G.A. § 8-2-25, the City of South Fulton has transmitted the text of the amendment to the Georgia Department of Community Affairs for review;

WHEREAS, the establishment of a building regulations within the City's borders is in the best interest of the City.

THE COUNCIL OF THE CITY OF SOUTH FULTON HEREBY ORDAINS
as follows:

Section 1: The City of South Fulton Code of Ordinances, Title 3, Building Regulations, Chapter 1, Section 3-0001(e) is hereby amended and enacted as follows:

Building Regulations

Title 3:

Chapter 1: Adoption of State Law.

Section 3-0001: State Minimum Standards Adopted.

(e) Construction Classification and Building Height. Any new building or structure designed or intended to be more than three (3) stories in height in any respect and which individually or in aggregate with other principal buildings or structures on the same site exceeds 100,000 sq. ft. of Gross Floor Area (GFA), within the confined exterior walls of the structures whether occupiable or non-occupiable, shall, irrespective of any conflicting allowances or provisions of any other standard, code or ordinance having force and effect in the corporate limits of the City of South Fulton, Georgia, be of Type I or Type II construction defined in Chapter 6 of the 2012 International Building Code as amended by the State of Georgia. This regulation shall not be used to relax or reduce any requirement in Table 503, Allowable Building Heights and Areas, or any other Section of the current adopted International Building Code.

Section 2: Severability

In the event any portion of this ordinance shall be declared or adjudged invalid or unconstitutional, it is the intention of the City Council of the City of South Fulton, Georgia, that such adjudication shall in no manner affect the other sections, sentences, clauses or phrases of this ordinance which shall remain in full force and effect, as if the invalid or unconstitutional section, sentence, clause or phrase were not originally a part of the ordinance.

Section 3: Repealer

All ordinances and parts of ordinances in conflict with this ordinance are hereby repealed.

Section 4: Effective Date

This Ordinance shall become effective after the Georgia Department of Community Affairs has informed the City of South Fulton that the Department has no comments on the proposal and it is a local decision whether to adopt the amendment or after 60 days from the date the City transmits the ordinance to the Georgia Department of Community Affairs, whichever is earlier.

The foregoing Ordinance No. **2017-014** was offered by Mayor Pro Tem **Rowell**, who moved its approval. The motion was seconded by Councilmember **Gilyard**, and being put to a vote, the result was as follows:


	AYE	NAY
William “Bill” Edwards, Mayor	<div></div>	<div></div>
Catherine Foster Rowell, Mayor Pro Tem	<div>✓</div>	<div></div>
Carmalitha Lizandra Gumbs	<div>✓</div>	<div></div>
Helen Zenobia Willis	<div>✓</div>	<div></div>
Gertrude Naeema Gilyard	<div>✓</div>	<div></div>
Rosie Jackson	<div>✓</div>	<div></div>
khalid kamau	<div>✓</div>	<div></div>
Mark Baker	<div>✓</div>	<div></div>

THIS ORDINANCE adopted this 26th day of July 2017. CITY OF
SOUTH FULTON, GEORGIA

“SECOND READING”

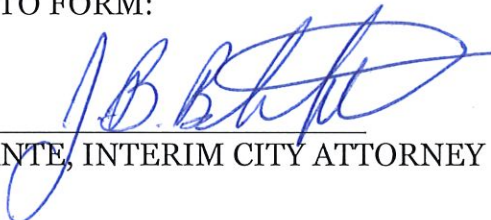

WILLIAM “BILL” EDWARDS, MAYOR

ATTEST:


MARK MASSEY, CITY CLERK



APPROVED AS TO FORM:


JOSH BELINFANTE, INTERIM CITY ATTORNEY